

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**FMC CORPORATION,**

Plaintiff,  
v.

**SHARDA USA LLC,**

Defendant.

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**CIVIL ACTION**

**NO. 24-2419**

**ORDER**

**AND NOW**, this 16th day of August, 2024, upon consideration of FMC Corporation's First Amended Verified Complaint and Renewed Motion for a Temporary Restraining Order and Expedited Discovery (ECF 30), and the responses thereto, it is hereby **ORDERED** that the motion is **GRANTED** as follows:

1. Careful consideration of the parties' briefing, arguments advanced at the oral argument, and overall record demonstrate that Plaintiff has shown a likelihood of success on the merits and that Plaintiff will be irreparably harmed unless Defendant is immediately enjoined from selling the Accused Product, which is a stable premixed insecticide comprising a combination of bifenthrin and a cyano-pyrethroid in a ratio between about 10:1 to about 1:100, and includes as an exemplar Defendant's WINNER insecticide product having a formulation of 11.25% weight by volume of bifenthrin and 3.75% weight by volume of zeta-cypermethrin.

2. Plaintiff has shown that it is likely to prevail on its claims that the Accused Product infringes Plaintiff's U.S Patent No. 9,596,857 and U.S Patent No. 9,107,416

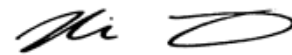
(collectively, “the Asserted Patents”); and, on balance, the equities and public interest weigh in favor of granting the temporary restraining order.

3. In order to preserve the status quo and prevent irreparable harm to Plaintiff’s patent rights under the Asserted Patents, Defendant Sharda USA LLC is hereby **ENJOINED** from importing, marketing, advertising, selling, or distributing the Accused Product until further order of this Court.

4. Plaintiff FMC Corporation shall post security with the Clerk of Court in the amount of \$500,000.

5. Plaintiff’s request for expedited discovery is **DENIED**. Discovery shall proceed in the ordinary course.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Mi D", is positioned above a horizontal line.

Hon. Mia R. Perez